



City Council Building  
Chattanooga, Tennessee  
**COUNCIL MEETING MINUTES**  
April 17, 2018  
6:00 PM

**CALL TO ORDER**

Council Chairman Ken Smith called the meeting to order with Vice-Chairman Erskine Oglesby and Councilpersons Carol Berz, Anthony Byrd, Demetrus Coonrod, Russell Gilbert, Chip Henderson and Darrin Ledford. Wade Hinton, City Attorney, and Nicole Gwyn, Council Clerk, were also present. Councilman Jerry Mitchell was not present.

**PLEDGE OF ALLEGIANCE**

Councilwoman Berz led the Assembly in the Pledge of Allegiance.

**APPROVAL OF LAST MINUTES**

**On motion of Councilman Gilbert and seconded by Councilman Ledford**, the minutes of the last meeting (April 10, 2018) were approved as published.

**ORDINANCES – FINAL READING:**

On motion of Vice-Chairman Oglesby and seconded by Councilman Byrd,

**ORDINANCE #13297**

**AN ORDINANCE AMENDING CHATTANOOGA CITY CODE, PART II, CHAPTER 11, BY THE ADDITION OF A NEW ARTICLE XVII ENTITLED “SMALL BUSINESS CONSTRUCTION MITIGATION GRANT PROGRAM” AND TO AMEND ORDINANCE KNOWN AS “THE FY2018 BUDGET ORDINANCE” SO AS TO REAPPROPRIATE \$19,000.00 FROM THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR USE IN THE SMALL BUSINESS CONSTRUCTION MITIGATION GRANT PROGRAM TO THE INDUSTRIAL DEVELOPMENT BOARD.**

**ACTION: APPROVED**

2018-039  
Todd Lansden  
Planning Version  
District No. 5

**ORDINANCE #13298**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3407 PLUMWOOD ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE, SUBJECT TO CERTAIN CONDITIONS.**

There was no Opposition present. Councilman Gilbert informed the Council that this downzoning met his approval because the duplex is next to a church, and the property owners would keep it up to standard. He noted that it is similar to the downzoning done previously for Chambliss. Therefore, **Councilman Gilbert moved** to approve, seconded by Councilwoman Coonrod. The motion carried.

**ACTION: APPROVED**

2018-040  
Joseph Ingram  
Planning Version  
District No. 7

On motion of Vice-Chairman Oglesby and seconded by Councilman Byrd,

**ORDINANCE #13299**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1820 MADISON STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO U-RA-3 URBAN RESIDENTIAL ATTACHED ZONE 3 STORIES.**

**ACTION: APPROVED**

2018-041  
Joseph Ingram  
Staff Version  
District No. 7

On motion of Vice-Chairman Oglesby and seconded by Councilman Ledford,

**ORDINANCE #13300**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1942 MADISON STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM M-1 MANUFACTURING ZONE TO U-RA-3 URBAN RESIDENTIAL ATTACHED ZONE 3 STORIES, SUBJECT TO CERTAIN CONDITIONS.**

**ACTION: APPROVED**

2018-042  
Jason Geraci  
Planning and Staff  
District No. 8

**ORDINANCE #13301**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 906 AND 912 EAST 14<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-3 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE/ZERO LOT LINE ZONE.**

Councilman Byrd informed the Council that he has been in discussion with the Applicant and constituents in the community and must work to clean up some issues with this property. Therefore, **Councilman Byrd moved** to defer one (1) week to April 24, 2018. He was seconded by Councilwoman Coonrod. The motion carried.

**ACTION: DEFERRED ONE (1) WEEK TO APRIL 24, 2018**

On motion of Councilman Ledford and seconded by Councilman Byrd,

**ORDINANCE #13302**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE V, DIVISION 3, SECTION 38-64, HEIGHT AND AREA EXCEPTIONS AND DIVISION 5, SECTION 38-84, HEIGHT, AREA, AND BUILDING REGULATIONS, (1) FOR AREAS OUTSIDE THE URBAN OVERLAY ZONE.**

**ACTION: APPROVED**

**ORDINANCES – FIRST READING:**

2018-035  
Ronnie Rothwell  
Planning and Staff Version  
District No. 1

**ORDINANCE #13303**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED IN THE 500 BLOCK OF MAY STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO E-RA-2 RESIDENTIAL ATTACHED ZONE.**

**Councilman Henderson moved to approve** E-RA-2. He was seconded by Councilman Ledford. The motion carried. **Councilman Henderson moved** to amend the E-RA-2 condition to “*single family detached*.” He asked John Bridger of Regional Planning if there were any other language to

attach to this condition. Mr. Bridger indicated that the language is consistent with what the Applicant has requested. The motion was seconded by Councilwoman Berz. The motion carried.

**Councilman Henderson moved** to approve as amended the E-RA-2 with conditions. He was seconded by Councilman Ledford. The motion carried.

**ACTION: PASSED AS AMENDED ON  
FIRST READING**

**2018-038 Nancy S. Hayes**  
**Planning Version**  
**District No. 7**

On motion of Vice-Chairman Oglesby and seconded by Councilman Henderson,

**ORDINANCE #13304**

**AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 3807 17<sup>TH</sup> AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-2 RESIDENTIAL ZONE.**

Vice-Chairman Oglesby reminded the Council that this item had been deferred from last week to today so that a presentation could be made on the case today. Mr. Bridger made a presentation and discussed two recommendations: Planning Commission's recommendation to approve and Staff's recommendation to deny. Vice-Chairman Oglesby informed the Council that he had spoken extensively with the property owner and the residents of the neighborhood. He indicated that the residents have been pleased with the property owner and the tenants at the property. Therefore, **Vice-Chairman Oglesby moved** to approve, seconded by Councilman Henderson. The motion carried.

**ACTION: PASSED ON FIRST READING**

**Agenda Item VI(c):**

An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Chattanooga Form-Based Code, relative to recommended improvements based on a one (1) year review. **(Planning Version)**  
**(Deferred from 3/27/18)**

An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Chattanooga Form-Based Code, relative to recommended improvements based on a one (1) year review. **(Staff Version)**

An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article XVI, Downtown Chattanooga Form-Based Code, relative to recommended improvements based on a one (1) year review. **(Alternate Version)**  
**(Co-Sponsored by Councilmen Henderson and Mitchell)**

Chairman Smith opened the floor for the Opposition to speak. Chairman Smith did not see Opposition, but there was one individual--a gentleman named Chris--who wished to speak on

behalf of the opposition. He thanked the woman who helped facilitate the changes in the ordinance and communicated the changes to citizens.

Councilman Henderson had presented an Alternate Version along with Councilman Mitchell and asked Attorney Hinton if a one-week deferral would get the Alternate Version on the agenda. Attorney Hinton confirmed that the most up-to-date Alternate Version is currently on the agenda. Therefore, **Councilman Henderson moved** to defer one (1) week to April 24, 2018. He was seconded by Councilwoman Coonrod. The motion carried.

**ACTION: DEFERRED ONE (1) WEEK UNTIL APRIL 24, 2018**

**RESOLUTIONS:**

On motion of Councilwoman Coonrod and seconded by Councilman Byrd,

**RESOLUTION #29418**

**A RESOLUTION AUTHORIZING THE REALLOCATION OF \$100,000.00 IN CDBG FUNDS TO BE USED FOR DEMOLITION OF DANGEROUS, BLIGHTED STRUCTURES.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilwoman Coonrod,

**RESOLUTION #29419**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS CONVEYING FIFTY-SEVEN (57) CERTAIN OR CERTAIN COMBINATION OF PARCELS, IN SUBSTANTIALLY THE FORM ATTACHED, TO THE APPROVED HIGHEST BIDDERS ON JOINTLY-OWNED PROPERTIES OF THE CITY OF CHATTANOOGA AND HAMILTON COUNTY AS ACQUIRED THROUGH PREVIOUS DELINQUENT TAX SALES.**

**ACTION: ADOPTED**

On motion of Councilwoman Berz and seconded by Councilman Gilbert,

**RESOLUTION #29420**

**A RESOLUTION TO CONFIRM THE MAYOR'S APPOINTMENT OF BEVERLY MOULTRIE AS THE DIRECTOR OF HUMAN RESOURCES.**

The motion carried. After which, Chairman Smith congratulated Ms. Moultrie and asked her to stand and wave at everybody. He then welcomed her to city government.

**ACTION: ADOPTED**

**PURCHASES: (NONE)**

**OTHER BUSINESS:**

**District 7 Events**

- Vice-Chairman Oglesby reported on the East Lake Festival that took place this weekend at the duck pond. It was a reading and cultural festival. Rain held off five minutes before it ended. He commended the East Lake Neighborhood Association for a job well done.
- He reminded everyone about the Alton Park Street Fest & Cleanup this Saturday, April 21, 2018, at Fagan between 38th & Work from 11-1. The festival afterwards at the Southside Community Park, 3501 Central Avenue, from 1:00 - 4:00 p.m.

**District 9 Event**

- Councilwoman Coonrod reported on the NACA Homeownership Workshop that took place this Saturday at Greater Second Baptist Church. She described the workshop room a "packed." Due to the high turnout, two more workshops have been planned for June 2 and June 9, 2018. There will be an opportunity for outreach to the Hispanic community of Chattanooga. Details are forthcoming.

**COMMITTEE REPORTS:**

*Budget and Finance Committee*

Councilwoman Berz reported:

- The Council went over the outline of the budget process to educate themselves and the community. They hope to have something in writing by next meeting.

*Economic and Community Development Committee*

Vice-Chairman Oglesby reported:

- The committee will meet next week after the 3:00 p.m. Agenda Session.

\*Chairman Smith assigned Councilman Byrd to chair the ECD Committee for 2018-2019.

*Human Resources Committee (HR)*

(No report)

\*Chairman Smith assigned Councilman Gilbert to chair the HR Committee for 2018-2019.

*Planning and Zoning Committee*

Councilman Ledford reported:

- The committee met today in open meeting to cover items on final and first reading. During that meeting, there was also a presentation on ADU's (accessory dwelling units) proposed in the R-T/Z zone.

*Public Safety Committee*

(No report)

\*Chairman Smith assigned Councilman Henderson to chair the Public Safety Committee.

*Public Works and Transportation Committee*

Chairman Smith reported:

- The committee met today in open meeting to review items on next week's agenda.
- The committee will meet again in two weeks.

\*Chairman Smith assigned Councilman Mitchell to chair the Public Works and Transportation Committee for 2018-2019.

*Youth and Family Development Committee*

(No report)

\*Chairman Smith assigned Councilwoman Coonrod to the YFD Committee for 2018-2019.

\*Chairman Smith noted that Vice-Chairman Oglesby does not have a committee assigned to him at this time.

**RECOGNITION OF PERSONS WISHING TO ADDRESS COUNCIL  
(Non-Agenda Items)**

Attorney Hinton read the rules of procedure for persons wishing to address the Council on non-agenda items. After which, Chairman Smith recognized the following persons:

- **Glenn Meadows (District 6)** - On behalf of himself and his neighbors, he reported a mosquito problem near Silverdale Road and Sonya Lane located off Lee Highway behind a used tire shop (Tyner & Lee Highway). He has noticed a mosquito problem for a long time. He learned about Ordinance 11463 passed in May 2016 that amended the tire ordinance and specified how tires should be stored. He has had numerous conversations with Councilwoman Berz, his representative, on this matter. He told the story of how countless numbers of mosquitos infiltrated his truck one day, biting him and leaving blood spots on his arms. The mosquitos prevented him from driving. He saw a stack of tires near his property line and attributes the mosquitos in his truck on improper tire storage next door. He was told that the tire shop was cited to court, but nothing happened because the business was "grandfathered." When the tire shop went before the court a second time, the case was passed to another date. He asked the Council if there were any other recourse to get the tire shop to clean up their stored tires. He also asked the City Attorney to clarify the law on these businesses: whether they are subject to the law or not. He offered more information about his problem, if needed.
  - Councilman Gilbert informed Mr. Meadows of the \$50/day fine that can be imposed by the court. He acknowledged the same problem in the Highway 58 area with mosquitos. He has visited Mr. Meadows' neighborhood and agrees with the mosquito problem.
  - Councilwoman Berz thanked Mr. Meadows for speaking, then asked Attorney Hinton if he would care to give a clarification of the law.
  - Attorney Hinton did not think that "grandfathering" this business did not apply since this was not a zoning matter. He said the case will be heard on May 3, 2018. He indicated that it would help having concerned citizens there.
- **Melissa Jennings (District 6)** - Lived on the same street as Mr. Meadows for years, but mosquitos have been a constant battle since the tire shop came. She indicated that it is a nightmare taking out the trash due to the mosquitos. She estimates that the company has approximately 500 tires stored uncovered on the property. She could not vocalize enough

the problem with mosquitos in this area. She would like for the tire shop to come into compliance, not run them off.

**ADJOURNMENT**

**On motion of Vice-Chairman Oglesby**, Chairman Smith adjourned the meeting of the Chattanooga City Council until Tuesday, April 24, 2018, at 6:00 p.m.

---

**CHAIRMAN**

---

**CLERK OF COUNCIL**